



EXPRESS MAIL NO. EL897856325US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Brian Wells
Application No. : 09/916,115
Filed : July 25, 2001
For : FUEL CELL ANOMALY DETECTION METHOD AND APPARATUS

Art Unit : 1745
Docket No. : 130109.406
Date : November 13, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated September 14, 2001, please find enclosed the following documents:

- Fee
 Oath/Declaration
 Election and Power of Attorney
 Copy of Notice to File Missing Parts
 Sheets of Formal Drawings
 Other _____

Respectfully submitted,
Brian Wells
Seed Intellectual Property Law Group PLLC


Frank Abramonte
Registration No. 38,066

12/04/01

83 Sector

EXPRESS MAIL NO. EL897856325US

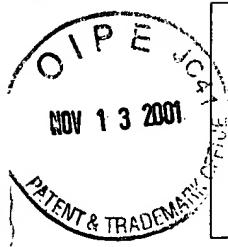
PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

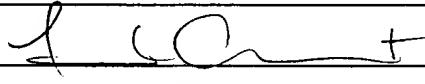
Application Number	09/916,115
Filing Date	July 25, 2001
First Named Inventor	Brian Wells
Group Art Unit	1745
Examiner Name	
Attorney Docket No.	130109.406

ENCLOSURES (check all that apply)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement; Form PTO-1449
<input type="checkbox"/> Cited References
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53
<input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application)
<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address
<input checked="" type="checkbox"/> Declaration
<input type="checkbox"/> Statement under 37 CFR 3.73(b)
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____
<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<u>Copy of Notice to File Missing Parts</u>
<u>Application Data Sheet</u>
<hr/> <hr/> <hr/> |
|--|---|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Frank Abramonte	 00500 <small>PATENT TRADEMARK OFFICE</small>
Signature		
Date	November 13, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name		
Signature		Date:

FEE TRANSMITTAL for FY 2002

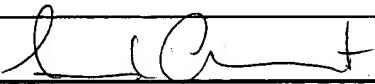
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **1,440**

Complete if Known	
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METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																																																																											
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 19-1090</p> <p>Deposit Account Name Seed Intellectual Property Law Group PLLC</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit any overpayment to Deposit Account Number above.</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th></th> <th></th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td><td></td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td><td></td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td><td></td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td><td></td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td><td></td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td><td></td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td><td></td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td><td></td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td><td></td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td><td></td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td><td></td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td><td></td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td><td></td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td><td></td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td><td></td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive – unavoidable</td><td></td><td></td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive – unintentional</td><td></td><td></td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td><td></td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td><td></td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td><td></td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td><td></td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td><td></td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td><td></td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td><td></td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td><td></td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td><td></td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td><td></td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td><td></td><td></td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="4">*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 130)</td> </tr> </tbody> </table>				Large Entity	Small							Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			Fee Paid	105	130	205	65	Surcharge - late filing fee or oath			130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet				139	130	139	130	Non-English specification				147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination				112	920*	112	920*	Requesting publication of SIR prior to Examiner action				113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action				115	110	215	55	Extension for reply within first month				116	400	216	200	Extension for reply within second month				117	920	217	460	Extension for reply within third month				118	1,440	218	720	Extension for reply within fourth month				128	1,960	228	980	Extension for reply within fifth month				119	320	219	160	Notice of Appeal				120	320	220	160	Filing a brief in support of an appeal				121	280	221	140	Request for oral hearing				138	1,510	138	1,510	Petition to institute a public use proceeding				140	110	240	55	Petition to revive – unavoidable				141	1,280	241	640	Petition to revive – unintentional				142	1,280	242	640	Utility issue fee (or reissue)				143	460	243	230	Design issue fee				144	620	244	310	Plant issue fee				122	130	122	130	Petitions to the Commissioner				123	50	123	50	Petitions related to provisional applications				126	180	126	180	Submission of Information Disclosure Stmt				581	40	581	40	Recording each patent assignment per property (times number of properties)				146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))				149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))				179	740	279	370	Request for Continued Examination (RCE)				169	900	169	900	Request for expedited examination of a design application				Other fee (specify) _____				*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 130)			
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**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY			
Name (Print/Type)	Frank Abramonte		Registration No. Attorney/Agent) 38,066
Firm Name/Address			
Signature		Date	November 13, 2001

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00500

PATENT TRADEMARK OFFICE



O I P E JCA
JUL 13 2001
UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail No. EL897856325US

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,115	07/25/2001	Brian Wells	130109.406

CONFIRMATION NO. 7456

00500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

FORMALITIES LETTER



OC000000006559676

Date Mailed: 09/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$554.
 - \$234 for 13 total claims over 20.
 - \$320 for 4 independent claims over 3 .
- o The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 1394.**

A copy of this notice MUST be returned with the reply.

12/05/2001 SDENB0B1 00000068 09916115

01 FC:101	740.00	OP
02 FD:102	336.00	OP
03 FC:103	234.00	OP
04 FC:105	130.00	OP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



Bib Data Sheet

CONFIRMATION NO. 7456

SERIAL NUMBER 09/916,115	FILING DATE 07/25/2001 RULE	CLASS 429	GROUP ART UNIT 1745 1746	ATTORNEY DOCKET NO. 130109.406
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APPLICANTS

Brian Wells, Vancouver, CANADA;

**** CONTINUING DATA *******

NONE (n)

5

**** FOREIGN APPLICATIONS *******

NONE (n)

IF REQUIRED, FOREIGN FILING LICENSE GRANTED

** 09/14/2001

Foreign Priority claimed	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no		
35 USC 119 (a-d) conditions met	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance		
Verified and Acknowledged	<i>[Signature]</i> <i>[Initials]</i>		
Examiner's Signature	Initials		
STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS	INDEPENDENT CLAIMS
CANADA	18	33	7

ADDRESS

00500

TITLE

Fuel cell anomaly detection method and apparatus

FILING FEE RECEIVED 1440	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
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